City of Middletown
OFFICE OF THE GENERAL COUNSEL
245 deKoven Drive
Middletown, CT 06457-1300
TEL: (860) 638-4820 FAX: (860) 638-1920
TDD: (860) 344-3521

RECEIVED
16 SEP 29 PM 3:57
TOWN CLERK
MIDDLETOWN, CONN.

Minutes
Regular Meeting of September 29, 2016
Code Enforcement Committee

Committee Members Present: Officer Nick Purro; Sal Nesci, Director of Health; Christopher Holden, Deputy Director of Public Works; Linda Reed, Zoning and Wetlands Enforcement Officer; Steve Kroll, Fire Marshal; Al Santostefano, Fire Marshal; Art Higgins, Fire Marshal; Dean Lisitano, Chief Building Official; and Christopher J. Smedick, Assistant General Counsel.

Members of the Public: None.

A. Call to Order

Assistant General Counsel Smedick called the meeting to order at 9:07 a.m.

B. Election of Chairman Pro Tem

MOTION: Fire Marshal Kroll made a motion to appoint Sal Nesci as the Chairman Pro Tem for this meeting. ZEO Reed seconded the motion. Motion passed unanimously at 9:07 am.

C. Approval of Minutes

MOTION: ZEO Linda Reed made a motion to approve the minutes of the July 28, 2016 regularly scheduled meeting. Fire Marshal Higgins seconded the motion. Motion passed unanimously at 9:08 am.

D. Public Session

No members of the public were present for the Public Session.

E. New Business

1. **Planning, Conservation, and Development Office.**
    a. Carabetta/Woodbury Summer Hill Apartment Complexes: There were reports of criminal activity on the premises. Upon investigation by the Police Department, it was discovered that there was a large gap in the

fence. The Zoning and Wetlands Enforcement Officer inspected the fence and is working with the property owner to remedy the defect.

MOTION: ZEO Reed made a motion to add the property known as 5 Grace Street to the agenda. Fire Marshal Kroll seconded the motion. Motion passed unanimously at 9:39 a.m.

b. 5 Grace Street: The property is under a zoning order to remove accumulation, junk and motor vehicles from the property. The Zoning and Wetlands Enforcement Officer has referred the matter to the Office of the General Counsel.

2. **Building Department.**
   a. 101 Tryon Street (Violations for Single Family House): The owner of the property has not obtained a permit to construct a ramp on the property, and the property is otherwise in violation of the City's Zoning Regulations. Property will continue to be monitored by the Building Department and the Planning, Conservation and Development Office.

3. **Health Department.**
   a. 9 Millbrook Road: A legal order was sent to the owners of the property by the Health Department requiring the owners to remove bulky waste and discarded material from the property. The owner has not complied. A **MOTION** was made by Fire Marshal Higgins and seconded by ZEO Reed to refer this action to the Office of the General Counsel to commence clean and lien procedures. Motion passed unanimously at 9:18 a.m.

   b. 725 Main Street: On August 9, 2016, a legal order was sent to the owners of the property by the Health Department requiring the owners to remove an overflowing dumpster and litter scattered around the property. The owner has not complied. A **MOTION** was made by ZEO Reed and seconded by Chief Building Official Lisitano to refer this action to the Office of the General Counsel to commence clean and lien procedures. Motion passed unanimously at 9:22 a.m.

4. **Office of the General Counsel.**
   a. Review of Code Enforcement Liens: Assistant General Counsel Smedick updated the Code Enforcement Committee on the status of the liens that have been placed on real estate to secure the City of Middletown's clean-and-lien efforts.
   b. Review of revisions to the City of Middletown's Blight Ordinances (Sections 120-24 through 120-27, and Section 228-1): Assistant General Counsel Smedick presented revisions to the City of Middletown's Blight Ordinances and ordinances regarding the Code Enforcement Committee.

The changes in the ordinances were made to codify current practice in accordance with the relevant provisions of the Connecticut General Statutes and to improve the Code Enforcement Committee's ability to rectify violations of the City's codes and regulations. A **MOTION** was made by ZEO Reed and seconded by Deputy Director Holden to approve the revisions to the Blight Ordinances, and ordinances regarding the Code Enforcement Committee. Motion passed unanimously at 9:30 a.m.

F. Old Business

1. Zoning and Wetlands Enforcement Officer.

a. East Main Street and Baer Street: Numerous blight and zoning orders have been sent out to numerous properties located on these two streets. The Zoning and Wetlands Enforcement Officer is working to attain compliance. No update.

b. 21 Saybrook Road: The property is under a blight order and the owner is working with the City to bring the property into compliance. This Committee will monitor the property to determine whether further action will be necessary.

c. 796 Prout Hill Road: The property owner is attempting to comply with the blight order to bring the property into compliance. Property will continue to be monitored.

d. Guiheen Estates/Mile Lane: Property will be monitored by the Code Enforcement Committee to ensure compliance with the City's regulations.

e. 20 South Front Street Appeal: The owner has brought an appeal of the blight order and is working with the City to address such issues. An extension of time was given to the property owner to remedy the violations on the property. Property will continue to be monitored.

f. 56 Catherine Street: The Planning, Zoning and Conservation Office is working with the owner to bring this property into compliance.

g. 878 Saybrook Road: The owner of the property was attempting to remedy the violations on the property, however, such efforts have ceased. The property will continue to be monitored by the Code Enforcement Committee.

h. 203/205 Prospect Street: The property is being monitored for blight and zoning violations and is currently under a blight order. The property will continue to be monitored by the Code Enforcement Committee.

i. 226 High Street: The property is under order by the Zoning and Wetlands Enforcement Officer to remediate violations on the property. The property will continue to be monitored by the Code Enforcement Committee.

j. 179 Butternut Street: The house is on the market and the Zoning and Wetlands Enforcement Officer will continue to monitor to ensure the new owners remediate the violations on the property.

k. 193 River Road: The house is on the market and the Zoning and Wetlands Enforcement Officer will continue to monitor to ensure the new owners remediate the violations on the property.

2. **Westfield Fire District**
   a. CT Mason Contractors – 75 Bysiewicz Dr. (New Building): Site work is being performed on the building. Will continue to be monitored.
   b. Armani Restoration – 95 Bysiewicz Dr. (New Building): Site work is being performed on the building. Will continue to be monitored.
   c. Mack Fire Protection – 15 Industrial Park Place (Addition): Project is completed and no action is needed by the Code Enforcement Committee.
   d. FedEx Ground – 1000 Middle Street (New Building): Site work is being performed on the building. Will continue to be monitored.
   e. Safe Home Security – 1125 Middle Street (New Building): Site work is being performed on the building. Will continue to be monitored.

3. **Office of the General Counsel.**
   a. 55 Tryon Street: A legal order was sent to the owner by the Health Department in June 2016 requiring the owner to remove bulky waste, tall grass and abandoned vehicles from the property. The owner has not complied and this matter was referred to the Office of the General Counsel on July 29, 2016. An extension of time to comply with the City's Notice of Abatement was granted, upon the request of the property owners, so that they can remedy the violations. Will continue to be monitored.
   b. 37 Denison Road: The property has again fallen out of compliance with the Health Department and this matter was referred to the Office of the General Counsel on July 29, 2016. Since that time, the violations on the property have been remediated. No further action necessary.
   c. 491 East Main Street: The property is under foreclosure for the nonpayment of taxes. Property will continue to be monitored.
   d. Westlake Drive: A foreclosure action has been started by the City against the owner of the property. Property will continue to be monitored.
   e. 74 Country Club Road: The property owner appealed a decision of the Connecticut Department of Public Health affirming the Middletown Health Department's order to cure various violations of the Public Health Code and Middletown Code of Ordinances on the property. The appeal was denied by the Department of Public Health and the City's legal order was modified, and affirmed. The Office of the General Counsel will seek to enforce its order to remedy the violations on the property.

G. Adjournment

The Committee adjourned at 9:52 a.m. on motion of Fire Marshal Kroll, seconded by Deputy Director Holden, and carried unanimously.

_____

By: Joseph Bibisi
Its: Chairman

cc: Hon. Daniel T. Drew, Mayor
Joe Samolis, Chief of Staff
Code Enforcement Committee Members
OGC Personnel

DRAFT